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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/676,429

Applicant(s)

PHILLIPS ET AL.

Examiner

PATRICK A. RYAN

Art Unit

2427

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 March 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-55 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This Office Action is made in response to Reply to Office Action of March 5, 2009 ("Reply"), filed March 16, 2009. Applicant has amended Claims 1, 15, 27, 43, and 49; no claims have been added; and no claims have been cancelled. As amended, Claims 1-55 are presented for examination.

2. In Office Action of March 5, 2009 ("Office Action"):

Claims 1 through 55 were rejected under 35 U.S.C. 103(a) as being unpatentable over Zimmers et al. United States Patent (6,816,878 B1) in view of Hunter et al. United States Patent (7,233,781 B2) and in further view of Edson United States Patent (6,526,581 B1).

Response to Arguments

3. Applicant's arguments, see Reply Pages 15-23, filed March 16, 2009 have been fully considered but they are not persuasive.

4. Regarding Claims 15 and 49, Applicant presents that the combination of Zimmers, Hunter, and Edson does not teach the limitation:

wherein the alert gateway is located at a subscriber location and is in communication with subscriber equipment, wherein the alert gateway is in communication with two or more subscribers, and wherein the alert gateway is in communication with two or more types of subscriber equipment (as recited in Claims 1, 15, 27, 43, and 49)

because "[t]he EFAN device [of Hunter] is not an alert gateway" (Reply Page 16-18, with particular reference to Page 17). Applicant also presents that, within the teachings of Edson, "there is no mention of a system that provides alerts to two or more difference

subscribers using two or more types of subscriber equipment" (Reply Pages 18-19). Applicant additionally presents that the motivation to combine the teachings of Zimmers, Edson, and Hunter is improper (Reply Pages 19-21). The Examiner respectfully disagrees.

The Examiner notes that Applicant citation of "Office Action, p. 7" seems to be referring to Final Office Action of September 26, 2008. The cited passage is also recited on Pages 8-9 of currently outstanding Office Action of March 5, 2009. The Examiner will assume Applicant is referring to the current Office Action in this reply since no distinction has been made.

The Examiner has relied upon the Zimmers reference to teach, in part, Applicants claimed "method for determining an appropriate set of addresses to which to distribute an alert" (Office Action Pages 3-6). It is the Examiner's position that one of Web Server 114 or Host Controllable Switch 132 of Fig. 1 could reasonably be construed to be an "alert gateway" because these devices distribute alert notifications to client devices such as a telephone, facsimile, email, or other Internet communication methodologies (as Zimmers discloses in Col. 12 Lines 22-31). However, within the teachings of Zimmers, it is unclear if a device constituting an alert gateway is located at the subscriber locations (i.e. within Regions 140,142,144,146,148,185 of Fig. 1)(Office Action Page 6).

Zimmers does not describe in sufficient detail the aspects of the subscriber locations. Therefore, to supplement the teachings of Zimmers, the Examiner relies upon Edson to demonstrate "a gateway device for an in-home communication network

that utilizes several available in-home digital networking media to connect the gateway device interface for communication with various external networks" (Office Action Page 7). Contrary to Applicant's arguments, the Examiner has not relied solely on the background of Edson to teach an alert gateway, wherein the alert gateway is in communication with two or more subscribers, and wherein the alert gateway is in communication with two or more types of subscriber equipment (as Applicant presents in Reply Page 18-19). In particular, the Examiner has cited (Office Action Page 7) Fig. 1 of Edson demonstrating Gateway 13, as part of In-home Communications Network 11, where Network 11 contains one or more digital media such as Twisted Pair 21 and Power Line 23 connecting a variety of customer device to the Gateway 13 such as Telephone 32, Printer 33, Home Alarm System 34, and TV 42 (as described in Col. 7 Lines 10—Col. 9 Line 7). The Examiner has further cited that Gateway 13 is capable of accommodating multiple sessions from multiple devices at the same time (Edson Col. 6 Line 57—Col. 7 Line 9).

Edson demonstrates a need for a home network product that provides a simple common interface usable by a wide range of systems and appliances within the user's location (Col. 2 Lines 64—Col. 3 Line 8). The Examiner has relied upon this suggestion by Edson to demonstrate a motivation to combine the alert information distribution system of Zimmers with the home gateway device of Edson in order to increase the versatility and compatibility of alert distribution methods with various home electronic devices. Therefore, the Examiner submits that Edson does in fact teach a gateway device at a subscriber's location in communication with multiple subscribers using

multiple types of subscriber equipment and that the techniques of Zimmers and Edson are properly demonstrated in combination. However, Edson does not explicitly discuss the reception of information about an alert from a distribution facility (Office Action Page 8).

To supplement the teachings of Zimmers and Edson, the Examiner has relied upon Hunter to teach a device at the user's location for receiving emergency notification information (EFAN Device 110 of Residential Homes 102 or Office Buildings 104, as shown in Fig. 2) and distributing the emergency notification to the user's device such as TV Device 1103 of Fig. 3 (as described in Col. 13 Line 1—Col. 14 Line 49; and presented in Office Action Page 8). Hunter further teaches distributing targeted alerts to a selected group of subscribers (as explicitly stated in the Abstract). The Examiner has presented that "Zimmers and Edson demonstrate a system for communicating information to multiple individuals who are using a variety of electronic devices" (Office Action Page 8). Therefore, in view of Hunter's teachings of receiving emergency notification information by way of a device located at the user's location, the Examiner has stated that it would have been obvious to incorporate the teachings of Zimmers and Edson with Hunter. In particular, the Examiner has stated that it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the Gateway 13 of Edson to transfer targeted alert information for to user devices, as demonstrated by EFAN Device 110 of Hunter, in order to increase the versatility and compatibility of alert distribution methods with various home electronic devices (as

Edson suggests in Col. 2 Line 64—Col. 3 Line 8 and as Hunter suggests in Col. 1 Line 28—Col. 2 Line 25) (as presented in Office Action Page 8-9).

It is therefore the Examiner's position that the combine teachings of Zimmers, Edson, and Hunter demonstrate "wherein the alert gateway is located at a subscriber location and is in communication with subscriber equipment, wherein the alert gateway is in communication with two or more subscribers, and wherein the alert gateway is in communication with two or more types of subscriber equipment" (as recited in Claims 1, 15, 27, 43, and 49).

5. Applicant additionally presents that the combination of Zimmers, Edson, and Hunter does not teach the amended Claim 1, 15, 27, 43, and 49 limitation of "formatting the alert into a message for the alert gateways to process for receipt by two or more subscribers with two or more types of subscriber equipment" because "Zimmers does not teach an alert gateway", "Hunter does not need to format the message for more than one type of subscriber equipment", and "Edson common network with different outside interfaces" (Reply Page 19). The Examiner respectfully disagrees.

In view of the discussion above regarding the teachings of Zimmers, Edson, and Hunter, it is the Examiner's position that Zimmers disclosure (Col. 20 Line 66—Col. 21 Line 32) of formatting a message, shown in Fig. 4G, for distribution to Email Address at Step 574, TCP/IP Address at Step 580, Numeric Page at Step 586, or Alphanumeric Pager at Step 592 is sufficient to address Application's "formatting" limitation. As addressed below.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1 through 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zimmers et al. United States Patent (6,816,878 B1, of Record), hereinafter "Zimmers" in view of Hunter et al. United States Patent (7,233,781 B2, of Record), hereinafter "Hunter" and in further view of Edson United States Patent (6,526,581 B1, of Record).

8. In regards to Claims 15 and 49, Zimmers teaches a relationship between a telecommunication provider and a plurality of subscribers (network of computers connected by computer network connection 102, as shown in Fig. 1), a method for determining an appropriate set of addresses to which to distribute an alert (Fig. 4A through Fig. 4H), the method comprising:

maintaining a directory of alert gateways (Fig. 4B and Fig. 4E, as described in Col. 18 Lines 22-67 and Col. 20 Lines 1-14), the directory comprising a plurality of directory entries (this limitations is met because multiple persons are intended to receive alert notifications, as disclosed in Zimmer Abstract and, therefore, a directory entry would be required for each user or household), each directory entry being associated with a particular alert gateway

and comprising at least one gateway characteristic associated with that alert gateway (subscriber information table 184 of Fig. 3C with: Fields 200 - 206 ["alert gateway database entry"], such as, customer number, caller ID, Email, or IP address, and Fields 208 - 232 ["gateway characteristic"], such as ZIP code, latitude and longitude, or the special needs of a user), the gateway characteristic including information to enable the alert distribution device to determine whether a given alert should be transmitted to the alert gateway (Fields 208 - 232, as described in Col. 14 Lines 25-66);

maintaining a distribution address associated with each of the alert gateways, the distribution address for a particular alert gateway providing sufficient identifying information about that alert gateway to allow an alert to be transmitted to the alert gateway (Fig. 4B and Fig. 4E, as described in Col. 18 Lines 22-67 and Col. 20 Lines 1-14);

associating the at least one gateway characteristic for a particular alert gateway with the distribution address for that particular alert gateway (data describing the subscriber in elements 184, 186, 188, 190, 192, and 194 are commonly linked by customer number/identifier shown as elements 200, 260, 320, 330, 350, and 360 respectively, As described in Col. 14 Lines 3-24; these tables are generated using the processes of Fig. 4B and Fig. 4E, as described in Col. 18 Lines 22-67 and Col. 20 Lines 1-14);

receiving an alert, the alert having associated information about the alert (Figs. 4A, 4B, and 4D show the processes for receiving an alert notification from

various sources. For example, from Emergency Managers Weather Information Network (EMWIN) of Fig. 4A, as described in Col. 17 Lines 53-67 and Col. 18 Lines 1-21; with additional reference to Fig. 2 showing additional information transmitted with the alert.);

identifying, based on the information about the alert, a set of selection criteria for determining which of the plurality of alert gateways should receive the alert (Fig. 4F, decision block 532 "Determine Type of Notification", as described in Col. 20 Lines 21-25; with further reference to the "patter matching and parsing" aspects of Fig. 4A, as described in Col. 18 Lines 4-21);

searching the directory for at least one directory entry comprising a gateway characteristic corresponding to the identified selection criteria (depending on the nature of the alert received, one of Figs. 5B, 6B, 7B, 8B, 9B, 10B, or 11 is performed in which a particular subscriber characteristic is use to determine if the alert should be sent to the individual, such as counties and zip codes in reference to Fig. 5B. The act of searching needs to be performed in order to determine the subscribers who meet the selection criteria); and

identifying, based on the search, a set of at least one distribution address that should receive the alert, each member of the set of distribution addresses being associated with a directory entry comprising a gateway characteristic that corresponds to the identified selection criteria (step 620 database query system 112 retrieves all station identifiers of subscribers with matching criteria to the information contained in the alert);

Zimmers teaches distributing information about the alert to users of communication devices such as wired phones, cellular phones, fax machines, and computers within in a home or business setting (as discussed in Col. 4 Lines 17-60 and Col. 11 Lines 34-49). In addition, Zimmers discusses various modes of contact to provide alert information to users such as telephone number, e-mail address, or TCP/IP address (with reference to Col. 14 Lines 3-24). Zimmers also teaches a process of formatting data packets for distributing the alert one of the various user communication devices such as an Email Address at Step 574, a TCP/IP Address at Step 580, a Numeric Page at Step 586, or an Alphanumeric Pager at Step 592 (as shown in Fig. 4G and described in Col. 20 Line 66—Col. 21 Line 32). This contact information is organized into subscriber information table 184 of Fig. 3C with: Fields 200 - 206 ["alert gateway database entry"], such as, customer number, caller ID, Email, or IP address, and Fields 208 - 232 ["gateway characteristic"], such as ZIP code, latitude and longitude, or the special needs of a user, which are used to transmit targeted alerts to the subscriber's location (Regions 140,142,144,146,148,150 of Fig. 1, as described in Col. 11 Line 10—Col. 12 Line 31).

However, within the teachings of Zimmers, it is unclear if a device constituting an alert gateway is located at the subscriber locations (i.e. within Regions 140,142,144,146,148,150 of Fig. 1) and if the alert gateways are in communication with the subscriber equipment, wherein the alert gateway is in communication with two or more subscribes, and wherein the alert gateway is in communication with two or more types of subscriber equipment.

In a similar field of invention, Edson teaches a gateway device for an in-home communications network that utilizes several available in-home digital networking media to connect the gateway to device interfaces for communication with various external networks (Abstract, Fig. 1). Edson discloses various in-home devices connected to the Gateway 13 such as Audio System Component 34, Telephone 32, Printer 33, Alarm System 34, Appliance 41, TV 42, and Computer 43 (as shown in Fig. 1 and described in Col. 7 Line 35—Col. 9 Line 7). Furthermore, Edson's Gateway 13 interfaces with a number of external networks such as ADSL 15, CATV 17, and X-LINK 19 (as described in Col. 5 Lines 45-56). Edson additionally discloses that the Gateway 13 is capable of accommodating multiple sessions from multiple devices at the same time (with reference to Col. 6 Line 57—Col. 7 Line 9).

Zimmers discloses distributing information about an alert to users of communication devices such as wired phones, cellular phones, fax machines, and computers within in home or business locations. Edson demonstrates a need for a home network product that provides a simple common interface usable by a wide range of systems and appliances within the user's location (Col. 2 Line 64—Col. 3 Line 8). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the alert information distribution system of Zimmers with the home gateway device of Edson in order to increase the versatility and compatibility of alert distribution methods with various home electronic devices (as Edson suggests in Col. 2 Line 64—Col. 3 Line 8).

Edson does not explicitly discuss the reception of information about an alert from a distribution facility. In a similar field of invention, Hunter teaches a method and system for dissemination emergency notification information to a select subset of users based on the subject matter of the notification (Abstract). Hunter further describes the use of an Emergency Feedback and Notification (EFAN) System 100 and EFAN Device 110 (as generally shown in Fig. 2). As shown in Fig. 2, EFAN Device 110 can be located at Residential Homes 102 or Office Buildings 104 and can be embodied as a set-top box, as described in Col. 13 Lines 1-51. In addition, EFAN Device 110 functions as an alert gateway by only allowing the selection of messages, using message headers processed by Microprocessor 1108 of Fig. 4, that are intended for specific households to be displayed on subscriber equipment, such as TV Device 1103 of Fig. 3, as described in Col. 13 Line 52—Col. 14 Line 34; with further reference to Col. 3 Line 51—Col. 4 Line 44 and Col. 15 Lines 8-59.

The combination of Zimmers and Edson demonstrate a system for communicating information to multiple individuals who are using a variety of electronic devices. Hunter further demonstrates a need for a targeted dissemination of emergency information to differing geographic areas containing individuals with different personal needs or concerns (as disclosed in Col. 2 Lines 16-25). Therefore, one of ordinary skill in the art at the time of the invention would have been motivated to modify the gateway of Edson to transfer targeted alert information for reception on various electronic devices, such as the EFAN device of Hunter, in order to increase the versatility and compatibility of alert distribution methods with various home electronic

devices (as Edson suggests in Col. 2 Line 64—Col. 3 Line 8 and as Hunter suggests in Col. 1 Line 28—Col. 2 Line 25).

9. In regards to Claim 16, the combination of Zimmers, Edson, and Hunter teach the method of Claim 15, wherein the at least one gateway characteristic associated with each of the alert gateways comprises information about the geographic location of the alert gateway (selected data entries of Fig. 3C, such as Latitude, Longitude, Elevation, Postal Zip Code, or Physical Address, as described by Zimmers in Cols. 14-16 and Col. 17 Lines 1-52).

10. In regards to Claim 17, the combination of Zimmers, Edson, and Hunter teach the method of Claim 16, wherein the information about the alert comprises geographic information about a geographic area to which the alert pertains, such that subscribers outside the geographic area would be relatively unlikely to be interested in receiving the alert (Zimmers teaches alert notification of Fig. 2, which contains county information 124 and town information 122, as described in Col. 8 Lines 42-67 and Col. 9 Lines 1-3).

11. In regards to Claim 18, the combination of Zimmers, Edson, and Hunter teach the method of Claim 15, wherein the directory entry for each alert gateway comprises information about a distribution address for that alert gateway (Zimmers teaches subscriber information table 184 contains information regarding ANI (Caller ID), Email, and TCP/IP, which are associated with a telephone number, email address, or Internet Protocol address respectively), and wherein maintaining a distribution address associated with each of the alert gateways comprises maintaining the information about

the distribution address (Zimmers Fig. 4B and Fig. 4E, as described in Col. 18 Lines 22-67 and Col. 20 Lines 1-14).

12. In regards to Claim 19, the combination of Zimmers, Edson, and Hunter teach the method of Claim 15, wherein the directory of alert gateways comprises a first database (Zimmers teaches tables of Fig. 3 are stored in database server 104, as disclosed in Col. 13 Lines 20-25).

13. In regards to Claim 20, the combination of Zimmers, Edson, and Hunter teach the method of Claim 19, wherein the distribution address associated with each of the alert gateways are maintained in a second database (Zimmers teaches database query system 112 generates packet data containing the information shown in TABLE III of Col. 12. The packet data is sent to an intended destination based on the "Station ID" and "Station ID Type", as described in Col. 12 Lines 32-67 and Col. 13 Lines 1-19).

14. In regards to Claim 21, the combination of Zimmers, Edson, and Hunter teach the method of Claim 15, wherein the at least one gateway characteristic associated with an alert gateway comprises information selected from the group consisting of the area code in which the alert gateway is located, the ZIP code in which the alert gateway is located, the latitude and longitude coordinates of the alert gateway, the Global Positioning System coordinates of the alert gateway, demographic information about a subscriber associated with the alert gateway, and information about subscriber preferences held by a subscriber associated with the alert gateway (Zimmers teaches subscriber information table of Fig. 3C, as described in Cols. 14-16 and Col. 17 Lines 1-52).

15. In regards to Claim 22, the combination of Zimmers, Edson, and Hunter teach the method of Claim 15, wherein the alert comprises urgent public information (Zimmers discloses various applications of the alert system, some examples of which are disclosed in Col. 11 Lines 10-18).

16. In regards to Claim 23, the combination of Zimmers, Edson, and Hunter teach the method of Claim 22, wherein the urgent public information is selected from a group consisting of an Emergency Alert System transmission, an Amber Alert, a severe weather notification, and a Homeland Security Advisory notification (in addition to the examples cited in reference to Claim 22, Zimmers teaches a specific application is shown in Fig. 2 regarding an alert sent by the National Weather Service (NWS), as described in Col. 8 Lines 30-67 and Col. 9 Lines 1-12).

17. In regards to Claim 24, the combination of Zimmers, Edson, and Hunter teach the method of Claim 15, wherein the information about the alert is incorporated within the alert (Zimmers teaches the alert transmitted from the NWS is transmitted using the ENWIN data stream, which is an alphanumeric text based system, as disclosed in Col. 8 Lines 30-41, so all information transmitted would be part of the data stream and therefore part of the alert).

18. In regards to Claim 25, the combination of Zimmers, Edson, and Hunter teach the method of Claim 15, wherein the alert information about the alert is additional to the alert (Zimmers teaches "the body of the NWS message may also be inserted into a facsimile message, sent as an electronic mail message, read via a computer-generated voice over the telephone, or forwarded to a text pager", as disclosed in Col. 9 Lines 4-7,

these communications would require additional information to be added to the text data of the NWS data stream in order to be transmitted, for example, as an email notification).

19. In regards to Claim 26, the combination of Zimmers, Edson, and Hunter teach the method of Claim 15, further comprising extracting from the alert the information about the alert (Zimmers teaches data parsing process shown in Fig. 4A, as described in Col. 17 Lines 53-67 and Col. 18 Lines 1-21).

20. In regards to Claim 49, Zimmers teaches a relationship between a telecommunication provider and a plurality of subscribers (network of computers connected by computer network connection 102, as shown in Fig. 1), a method for determining an appropriate set of addresses to which to distribute an alert (Fig. 4A through Fig. 4H), the method comprising the steps addressed in Claim 15 and additionally the step of transmitting the alert to members of a set of distribution addresses (step 620 database query system 112 retrieves all station identifiers of subscribers with matching criteria to the information contained in the alert).

Zimmers teaches distributing information about the alert to users of communication devices such as wired phones, cellular phones, fax machines, and computers within in a home or business setting (as discussed in Col. 4 Lines 17-60 and Col. 11 Lines 34-49). In addition, Zimmers discusses various modes of contact to provide alert information to users such as telephone number, e-mail address, or TCP/IP address (with reference to Col. 14 Lines 3-24). Zimmers also teaches a process of

formatting data packets for distributing the alert one of the various user communication devices such as an Email Address at Step 574, a TCP/IP Address at Step 580, a Numeric Page at Step 586, or an Alphanumeric Pager at Step 592 (as shown in Fig. 4G and described in Col. 20 Line 66—Col. 21 Line 32). This contact information is organized into subscriber information table 184 of Fig. 3C with: Fields 200 - 206 ["alert gateway database entry"], such as, customer number, caller ID, Email, or IP address, and Fields 208 - 232 ["gateway characteristic"], such as ZIP code, latitude and longitude, or the special needs of a user, which are used to transmit targeted alerts to the subscriber's location (Regions 140,142,144,146,148,150 of Fig. 1, as described in Col. 11 Line 10—Col. 12 Line 31).

However, within the teachings of Zimmers, it is unclear if the alert is transmitted to a set of devices constituting alert gateways located at the subscriber locations (i.e. within Regions 140, 142, 144, 146, 148, 150 of Fig. 1) and if the alert gateways are in communication with the subscriber equipment, wherein the alert gateway is in communication with two or more subscribes, and wherein the alert gateway is in communication with two or more types of subscriber equipment.

In a similar field of invention, Edson teaches a gateway device for an in-home communications network that utilizes several available in-home digital networking media to connect the gateway to device interfaces for communication with various external networks (Abstract, Fig. 1). Edson discloses various in-home devices connected to the Gateway 13 such as Audio System Component 34, Telephone 32, Printer 33, Alarm System 34, Appliance 41, TV 42, and Computer 43 (as shown in Fig. 1 and described in

Col. 7 Line 35— Col. 9 Line 7). Furthermore, Edson's Gateway 13 interfaces with a number of external networks such as ADSL 15, CATV 17, and X-LINK 19 (as described in Col. 5 Lines 45-56). Edson additionally discloses that the Gateway 13 is capable of accommodating multiple sessions from multiple devices at the same time (with reference to Col. 6 Line 57—Col. 7 Line 9).

Zimmers discloses distributing information about an alert to users of communication devices such as wired phones, cellular phones, fax machines, and computers within in home or business locations. Edson demonstrates a need for a home network product that provides a simple common interface usable by a wide range of systems and appliances within the user's location (Col. 2 Line 64—Col. 3 Line 8). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the alert information distribution system of Zimmers with the home gateway device of Edson in order to increase the versatility and compatibility of alert distribution methods with various home electronic devices (as Edson suggests in Col. 2 Line 64—Col. 3 Line 8).

Edson does not explicitly discuss the reception of information about an alert from a distribution facility. In a similar field of invention, Hunter teaches a method and system for dissemination emergency notification information to a select subset of users based on the subject matter of the notification (Abstract). Hunter further describes the use of an Emergency Feedback and Notification (EFAN) System 100 and EFAN Device 110 (as generally shown in Fig. 2). As shown in Fig. 2, EFAN Device 110 can be located at Residential Homes 102 or Office Buildings 104 and can be embodied as a

set-top box, as described in Col. 13 Lines 1-51. In addition, EFAN Device 110 functions as an alert gateway by only allowing the selection of messages, using message headers processed by Microprocessor 1108 of Fig. 4, that are intended for specific households to be displayed on subscriber equipment, such as TV Device 1103 of Fig. 3, as described in Col. 13 Line 52—Col. 14 Line 34; with further reference to Col. 3 Line 51—Col. 4 Line 44 and Col. 15 Lines 8-59.

The combination of Zimmers and Edson demonstrate a system for communicating information to multiple individuals who are using a variety of electronic devices. Hunter further demonstrates a need for a targeted dissemination of emergency information to differing geographic areas containing individuals with different personal needs or concerns (as disclosed in Col. 2 Lines 16-25). Therefore, one of ordinary skill in the art at the time of the invention would have been motivated to modify the gateway of Edson to transfer targeted alert information for reception on various electronic devices, such as the EFAN device of Hunter, in order to increase the versatility and compatibility of alert distribution methods with various home electronic devices (as Edson suggests in Col. 2 Line 64—Col. 3 Line 8 and as Hunter suggests in Col. 1 Line 28—Col. 2 Line 25).

21. In regards to Claim 50, the combination of Zimmers, Edson, and Hunter teach the method of Claim 49, wherein at least one of the plurality of alert gateways is incorporated within a network interface device located at a subscriber location (Router 103 of Edson, as shown in Fig. 2 and described in Col. 9 Line 51—Col. 11 Line 19).

22. In regards to Claim 51, the combination of Zimmers, Edson, and Hunter teach the method of Claim 49, wherein at least one of the plurality of alert gateways is in communication with a network interface device located at a subscriber location (network interfaces 311-314 and 321-323 of Fig. 1, as further detailed in Fig. 4 and described in Col. 13 Line 17—Col. 14 Line 67).

23. The limitations of Claim 52 have been addresses with reference to Claim 49 and Claim 21.

24. The limitations of Claim 53 have been addresses with reference to Claim 49 and Claim 22.

25. The limitations of Claim 54 have been addresses with reference to Claim 49, Claim 22, and Claim 23.

26. In regards to Claim 1, Zimmers teaches a relationship between a telecommunication provider and a plurality of subscribers (network of computers connected by computer network connection 102, as shown in Fig. 1), a device for determining an appropriate set of addresses to which to distribute an alert (database query system 112, as described in Col. 11 Lines 27-33), the device comprising: at least one interface member in communication with a communication network (data base query system 112 is in communication with at least web server 114 and IVR system 116, as described in Col. 7 Lines 2-7, therefore database query system contains an IP network interface); a processor in communication with the at least one interface member (database query system 112 may also "instruct web server 114 to deliver the

alert notification", as disclosed in Col. 12 Lines 22-31); and a storage medium in communication with the processor (database query system 112 performs comparisons, such as that of Fig. 4F, which require known data, such as Table III, therefore database query system 112 must contain a storage medium), the storage medium comprising instructions executable by the processor to perform the method of Claim 15 (see the analysis of Claim 15 for references to these limitations).

27. The limitations of Claim 2 have been addresses with reference to Claim 1 and Claim 16.

28. The limitations of Claim 3 have been addresses with reference to Claim 1, Claim 16, and Claim 17.

29. The limitations of Claim 4 have been addresses with reference to Claim 1 and Claim 18.

30. The limitations of Claim 5 have been addresses with reference to Claim 1 and Claim 19.

31. The limitations of Claim 6 have been addresses with reference to Claim 1, Claim 19, and Claim 20.

32. The limitations of Claim 7 have been addresses with reference to Claim 1 and Claim 21.

33. The limitations of Claim 8 have been addresses with reference to Claim 1 and Claim 22.

34. The limitations of Claim 9 have been addresses with reference to Claim 1 and Claim 23.

35. The limitations of Claim 10 have been addresses with reference to Claim 1 and Claim 24.

36. The limitations of Claim 11 have been addresses with reference to Claim 1 and Claim 25.

37. The limitations of Claim 12 have been addresses with reference to Claim 1 and Claim 26.

38. In regards to Claim 13, the combination of Zimmers, Edson, and Hunter teach the device of Claim 1, wherein the communication network is selected from a group consisting of a radio-frequency transmission, a telephone network, a cable television distribution network, the Internet, a fiber-optic network, a high-speed data network, a wireless network, and a microwave network (Zimmers teaches in Fig. 1, alert notification system 100 consists of communication channels such as FM receiver 110, IP through web server 114, or public switched telecommunications network 136).

39. In regards to Claim 14, the combination of Zimmers, Edson, and Hunter teach the device of Claim 1, wherein the communication network is a plurality of communication networks and wherein, for a particular distribution address, the device is configured to select the most appropriate communication network via which to transmit the alert information to the particular distribution address (Zimmers teaches in Fig. 1, alert notification system 100 consists of communication channels such as FM receiver 110, IP through web server 114, or public switched telecommunications network 136. In addition, database query system 112 can determine the appropriate transmission channel using the process of Fig. 4F, as described in Col. 20 Lines 15-65).

40. In regards to Claim 55, the combination of Zimmers, Edson, and Hunter teach the device of Claim 1, wherein the alert gateway transmits the alert to the subscriber equipment (as shown in Claim 15, Edson teaches Alert Gateway 13 and Hunter teaches the distribution of alert information to subscriber equipment, namely EFAN Device 110).

41. In regards to Claim 27, Zimmers teaches a relationship between a telecommunication provider and a plurality of subscribers, a system for distributing an alert to an appropriate set of subscribers (alert notification system 100 of Fig. 1), the system comprising:

a communication network in communication with the plurality of subscribers (computer network connection 102, as described in Col. 6 Lines 36-67 and Col. 7 Lines 1-6); and an alert distribution device in communication with the communication network (database query system 112, as described in Col. 8 Lines 24-29), the alert distribution device comprising: at least one interface member in communication with the network; a processor in communication with the at least one interface member; and a storage medium in communication with the processor (the elements of database query system 112 have been addressed with reference to Claim 1), the storage medium comprising instructions executable by the processor to perform the method of Claim 49 (see the analysis of Claim 49 for references to these limitations).

Zimmers teaches distributing information about the alert to users of communication devices such as wired phones, cellular phones, fax machines, and computers within in a home or business setting (as discussed in Col. 4 Lines 17-60 and

Col. 11 Lines 34-49). In addition, Zimmers discusses various modes of contact to provide alert information to users such as telephone number, e-mail address, or TCP/IP address (with reference to Col. 14 Lines 3-24). Zimmers also teaches a process of formatting data packets for distributing the alert one of the various user communication devices such as an Email Address at Step 574, a TCP/IP Address at Step 580, a Numeric Page at Step 586, or an Alphanumeric Pager at Step 592 (as shown in Fig. 4G and described in Col. 20 Line 66—Col. 21 Line 32). This contact information is organized into subscriber information table 184 of Fig. 3C with: Fields 200 - 206 ["alert gateway database entry"], such as, customer number, caller ID, Email, or IP address, and Fields 208 - 232 ["gateway characteristic"], such as ZIP code, latitude and longitude, or the special needs of a user, which are used to transmit targeted alerts to the subscriber's location (Regions 140,142,144,146,148,150 of Fig. 1, as described in Col. 11 Line 10—Col. 12 Line 31).

However, within the teachings of Zimmers, it is unclear if the alert is transmitted to a set of devices constituting alert gateways being associated with at least one subscriber (i.e. within Regions 140, 142, 144, 146, 148, 150 of Fig. 1) and if the alert gateways are in communication with the subscriber equipment, wherein the alert gateway is in communication with two or more subscribers, and wherein the alert gateway is in communication with two or more types of subscriber equipment.

In a similar field of invention, Edson teaches a gateway device for an in-home communications network that utilizes several available in-home digital networking media to connect the gateway to device interfaces for communication with various external

networks (Abstract, Fig. 1). Edson discloses various in-home devices connected to the Gateway 13 such as Audio System Component 34, Telephone 32, Printer 33, Alarm System 34, Appliance 41, TV 42, and Computer 43 (as shown in Fig. 1 and described in Col. 7 Line 35—Col. 9 Line 7). Furthermore, Edson's Gateway 13 interfaces with a number of external networks such as ADSL 15, CATV 17, and X-LINK 19 (as described in Col. 5 Lines 45-56). Edson additionally discloses that the Gateway 13 is capable of accommodating multiple sessions from multiple devices at the same time (with reference to Col. 6 Line 57—Col. 7 Line 9).

Zimmers discloses distributing information about an alert to users of communication devices such as wired phones, cellular phones, fax machines, and computers within in home or business locations. Edson demonstrates a need for a home network product that provides a simple common interface usable by a wide range of systems and appliances within the user's location (Col. 2 Line 64—Col. 3 Line 8). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the alert information distribution system of Zimmers with the home gateway device of Edson in order to increase the versatility and compatibility of alert distribution methods with various home electronic devices (as Edson suggests in Col. 2 Line 64—Col. 3 Line 8).

Edson does not explicitly discuss the reception of information about an alert from a distribution facility. In a similar field of invention, Hunter teaches a method and system for dissemination emergency notification information to a select subset of users based on the subject matter of the notification (Abstract). Hunter further describes the

use of an Emergency Feedback and Notification (EFAN) System 100 and EFAN Device 110 (as generally shown in Fig. 2). As shown in Fig. 2, EFAN Device 110 can be located at Residential Homes 102 or Office Buildings 104 and can be embodied as a set-top box, as described in Col. 13 Lines 1-51. In addition, EFAN Device 110 functions as an alert gateway by only allowing the selection of messages, using message headers processed by Microprocessor 1108 of Fig. 4, that are intended for specific households to be displayed on subscriber equipment, such as TV Device 1103 of Fig. 3, as described in Col. 13 Line 52—Col. 14 Line 34; with further reference to Col. 3 Line 51—Col. 4 Line 44 and Col. 15 Lines 8-59.

The combination of Zimmers and Edson demonstrate a system for communicating information to multiple individuals who are using a variety of electronic devices. Hunter further demonstrates a need for a targeted dissemination of emergency information to differing geographic areas containing individuals with different personal needs or concerns (as disclosed in Col. 2 Lines 16-25). Therefore, one of ordinary skill in the art at the time of the invention would have been motivated to modify the gateway of Edson to transfer targeted alert information for reception on various electronic devices, such as the EFAN device of Hunter, in order to increase the versatility and compatibility of alert distribution methods with various home electronic devices (as Edson suggests in Col. 2 Line 64—Col. 3 Line 8 and as Hunter suggests in Col. 1 Line 28—Col. 2 Line 25).

42. The limitations of Claim 28 have been addresses with reference to Claim 27 and Claim 16.

43. The limitations of Claim 29 have been addresses with reference to Claim 27, Claim 16, and Claim 17.
44. The limitations of Claim 30 have been addresses with reference to Claim 27 and Claim 18.
45. The limitations of Claim 31 have been addresses with reference to Claim 27 and Claim 19.
46. The limitations of Claim 32 have been addresses with reference to Claim 27 and Claim 20.
47. The limitations of Claim 33 have been addresses with reference to Claim 27 and Claim 21.
48. The limitations of Claim 34 have been addresses with reference to Claim 27 and Claim 50.
49. The limitations of Claim 35 have been addresses with reference to Claim 27 and Claim 51.
50. The limitations of Claim 36 have been addresses with reference to Claim 27 and Claim 22.
51. The limitations of Claim 37 have been addresses with reference to Claim 27, Claim 22, and Claim 23.
52. The limitations of Claim 38 have been addresses with reference to Claim 27 and Claim 24.
53. The limitations of Claim 39 have been addresses with reference to Claim 27 and Claim 25.

54. The limitations of Claim 40 have been addresses with reference to Claim 27 and Claim 26.

55. The limitations of Claim 41 have been addresses with reference to Claim 27 and Claim 13.

56. The limitations of Claim 42 have been addresses with reference to Claim 27 and Claim 14.

57. In regards to Claim 43, Zimmers teaches a relationship between a telecommunication provider and a plurality of subscribers, a system for distributing an alert to an appropriate set of subscribers (alert notification system 100 of Fig. 1), the system comprising:

a network configured to provide communication with the plurality of subscribers (computer network connection 102, as described in Col. 6 Lines 36-67 and Col. 7 Lines 1-6); and an alert distribution device in communication with the communication network (database query system 112, as described in Col. 8 Lines 24-29), the alert distribution device comprising: at least one interface member in communication with the network; a processor in communication with the at least one interface member; and a storage medium in communication with the processor (the elements of database query system 112 have been addressed with reference to Claim 1), the storage medium comprising instructions executable by the processor to perform the method of Claims 27 and 49 (see the analysis of Claims 27 and 49 for references to these limitations).

Zimmers teaches distributing information about the alert to users of communication devices such as wired phones, cellular phones, fax machines, and computers within in a home or business setting (as discussed in Col. 4 Lines 17-60 and Col. 11 Lines 34-49). In addition, Zimmers discusses various modes of contact to provide alert information to users such as telephone number, e-mail address, or TCP/IP address (with reference to Col. 14 Lines 3-24). Zimmers also teaches a process of formatting data packets for distributing the alert one of the various user communication devices such as an Email Address at Step 574, a TCP/IP Address at Step 580, a Numeric Page at Step 586, or an Alphanumeric Pager at Step 592 (as shown in Fig. 4G and described in Col. 20 Line 66—Col. 21 Line 32). This contact information is organized into subscriber information table 184 of Fig. 3C with: Fields 200 - 206 ["alert gateway database entry"], such as, customer number, caller ID, Email, or IP address, and Fields 208 - 232 ["gateway characteristic"], such as ZIP code, latitude and longitude, or the special needs of a user, which are used to transmit targeted alerts to the subscriber's location (Regions 140,142,144,146,148,150 of Fig. 1, as described in Col. 11 Line 10—Col. 12 Line 31).

However, within the teachings of Zimmers, it is unclear if the alert is transmitted to a plurality of devices constituting alert gateways having a geographic location being associated with at least one subscriber (i.e. within Regions 140, 142, 144, 146, 148, 150 of Fig. 1) and if the alert gateways are in communication with the subscriber equipment, wherein the alert gateway is in communication with two or more subscribes, and

wherein the alert gateway is in communication with two or more types of subscriber equipment.

In a similar field of invention, Edson teaches a gateway device for an in-home communications network that utilizes several available in-home digital networking media to connect the gateway to device interfaces for communication with various external networks (Abstract, Fig. 1). Edson discloses various in-home devices connected to the Gateway 13 such as Audio System Component 34, Telephone 32, Printer 33, Alarm System 34, Appliance 41, TV 42, and Computer 43 (as shown in Fig. 1 and described in Col. 7 Line 35—Col. 9 Line 7). Furthermore, Edson's Gateway 13 interfaces with a number of external networks such as ADSL 15, CATV 17, and X-LINK 19 (as described in Col. 5 Lines 45-56). Edson additionally discloses that the Gateway 13 is capable of accommodating multiple sessions from multiple devices at the same time (with reference to Col. 6 Line 57—Col. 7 Line 9).

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distribution methods with various home electronic devices (as Edson suggests in Col. 2 Line 64—Col. 3 Line 8).

Edson does not explicitly discuss the reception of information about an alert from a distribution facility. In a similar field of invention, Hunter teaches a method and system for dissemination emergency notification information to a select subset of users based on the subject matter of the notification (Abstract). Hunter further describes the use of an Emergency Feedback and Notification (EFAN) System 100 and EFAN Device 110 (as generally shown in Fig. 2). As shown in Fig. 2, EFAN Device 110 can be located at Residential Homes 102 or Office Buildings 104 and can be embodied as a set-top box, as described in Col. 13 Lines 1-51. In addition, EFAN Device 110 functions as an alert gateway by only allowing the selection of messages, using message headers processed by Microprocessor 1108 of Fig. 4, that are intended for specific households to be displayed on subscriber equipment, such as TV Device 1103 of Fig. 3, as described in Col. 13 Line 52—Col. 14 Line 34; with further reference to Col. 3 Line 51—Col. 4 Line 44 and Col. 15 Lines 8-59.

The combination of Zimmers and Edson demonstrate a system for communicating information to multiple individuals who are using a variety of electronic devices. Hunter further demonstrates a need for a targeted dissemination of emergency information to differing geographic areas containing individuals with different personal needs or concerns (as disclosed in Col. 2 Lines 16-25). Therefore, one of ordinary skill in the art at the time of the invention would have been motivated to modify the gateway of Edson to transfer targeted alert information for reception on various

electronic devices, such as the EFAN device of Hunter, in order to increase the versatility and compatibility of alert distribution methods with various home electronic devices (as Edson suggests in Col. 2 Line 64—Col. 3 Line 8 and as Hunter suggests in Col. 1 Line 28—Col. 2 Line 25).

58. The limitations of Claim 44 have been addresses with reference to Claim 43 and Claim 34.

59. The limitations of Claim 45 have been addresses with reference to Claim 43 and Claim 35.

60. The limitations of Claim 46 have been addresses with reference to Claim 43 and Claim 22.

61. The limitations of Claim 47 have been addresses with reference to Claim 43, Claim 22, and Claim 23.

62. The limitations of Claim 48 have been addresses with reference to Claim 43 and Claim 21.

Conclusion

63. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

64. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PATRICK A. RYAN whose telephone number is (571)270-5086. The examiner can normally be reached on Mon to Thur, 8:00am - 5:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Beliveau can be reached on (571) 272-7343. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/P. A. R./

Examiner, Art Unit 2427

Monday, June 08, 2009

/Scott Beliveau/

Supervisory Patent Examiner, Art Unit 2427